

# **CHILD AND FAMILY SERVICES REVIEW MINNESOTA DEPARTMENT OF HEALTH & HUMAN SERVICES**

## ***EXECUTIVE SUMMARY***

### **Introduction**

Minnesota was the fourth State to participate in a Child and Family Services Review (CFSR). This review was conducted in accordance with section 1123(A) of the Social Security Act and sections 1355.31 through 1355.37 of Title 45 of the Code of Federal Regulations (CFR). The U.S Department of Health and Human Services, through the Administration for Children and Families (ACF), is charged with the responsibility for reviewing federally-funded child and family services programs to determine the States' substantial conformity with State plan requirements and other requirements under Titles IV-B and IV-E of the Act.

The CFSR is a process in which ACF, in partnership with States, monitors and evaluates child and family services, including child protective services, family preservation and support, foster care, independent living and adoption services. The first phase of the CFSR consisted of the development of a State Profile, derived from data for Federal Fiscal Year (FFY) 1999 contained in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and for Calendar Year 1999 from the National Child Abuse and Neglect Data System (NCANDS). The profile highlighted key performance indicators related to safety and permanency for children entering the child welfare system. From this profile and other sources of information, Minnesota developed a Statewide Assessment (SWA), which described the process, procedures and policies of its child protective services, including foster care and adoption. This SWA also focused on the systemic factors in place which enable the State to carry out the program.

The second phase involved an on-site review, conducted in three counties and in St. Paul May 14 through 18, 2001. The purpose of the on-site review was to assess the quality of services to abused or neglected children and to verify the information contained in the State Profile and SWA. This was accomplished by an intensive examination of 49 cases, drawn at random, of children who were active in the system during the period under review (April 1, 2000 through May 13, 2001). The cases were divided between foster care and protective service (in-home) cases.

Forty-four reviewers and team leaders, operating in State/Federal teams, reviewed and rated the services provided these children and their families, in relationship to the three goals of safety, permanency and well-being. The ratings were derived from documentation in the case records as well as from interviews with those involved with the cases, such as parents, caseworkers, foster parents, service providers and, when appropriate, the children themselves.

Individual and group interviews were also held in the four sites with more than 100 selected stakeholders who had the knowledge and experience to describe and assess the child and family services system. They included foster parents, judges, district attorneys, defense attorneys, caseworkers and their supervisors, guardians ad litem, police, and advocacy group representatives. The primary purpose of these interviews was to assess independently the quality and efficacy of the systemic factors described in the SWA.

The results of the SWA, the on-site case reviews and the stakeholder interviews were compiled by the review team into this report and were used to make a determination about Minnesota's substantial conformity with regard to each of seven outcomes related to safety, permanency and well-being, and each of seven systemic factors.

Substantial conformity is based upon the State's ability to meet national standards; the criteria related to outcomes for children and families; and the criteria related to the State agency's capacity to deliver services leading to improved outcomes. Ninety percent of the cases must be rated as "substantially achieved" during a State's initial review for the State to be in substantial conformity for the outcomes.

## **KEY FINDINGS RELATING TO SAFETY, PERMANENCY AND WELL-BEING**

### **I. SAFETY**

#### **Status of Safety Outcomes: Need for Improvement**

##### **Safety Outcome 1**

##### **Children are, first and foremost, protected from abuse and neglect**

Although Minnesota met the national standards for repeat maltreatment and maltreatment of children in foster care, only 87.23% of the cases reviewed were rated as substantially achieved.

##### **Strengths**

- In most instances, face-to-face contacts on investigations were done within the established timeframes.
- During the review period, there were no instances of maltreatment of the foster care children whose cases were reviewed.

##### **Areas Needing Improvement**

- In some instances when abuse and neglect reports were given low priority, several days elapsed between the time the supervisor assigned the case and the investigator made the initial contact.
- Many reports were screened out or not investigated and there was no documentation regarding the reason.
- Many cases had extensive histories of repeat maltreatment prior to the review period.

## **Safety Outcome 2**

### **Children are safely maintained in their homes whenever possible and appropriate**

88.37% of the cases reviewed were rated as substantially achieved.

#### Strengths

- Alternative response is a strength-based and community oriented approach to addressing child maltreatment reports that do not meet statutory requirements for a mandated investigative approach. Reports that do not meet the endangerment standard may be addressed with family assessment and services. Stakeholders and county personnel praised this approach in dealing with families.
- Some cases had intensive services such as anger management, in-home visits by public health nurses, prevention programs, integrated services and child care.

#### Areas Needing Improvement

- In some cases there was a lack of assessment of risk and identification of needs and in some cases services were provided but risk was not targeted.
- Some children were returned home with only time-limited monitoring and follow-up.

## **II. PERMANENCY**

### **Status of Permanency Outcomes: Need for Improvement**

#### **Permanency Outcome 1**

##### **Children will have permanency and stability in their living situation**

Although Minnesota met the national standard on the length of time to achieve reunification, it did not meet the national standards on foster care re-entries, length of time to achieve adoption and stability of foster care placements. In addition, only 62.50% of the cases reviewed were rated as substantially achieved.

A data discrepancy occurred in the performance indicator, Foster Care Re-entries. The National Standard is 8.6 per cent (that is, that no more than 8.6 per cent of children who entered foster care re-entered foster care within twelve months of the prior episode). Minnesota's percentage for this indicator was 22.7 per cent. Of the twenty-four cases reviewed onsite, however, there were no re-entries into foster care. In order to resolve this discrepancy, the State would have had to submit current data to show that the rate for re-entries now meets the national standard of 8.6. ACF Regional Office informed the State of this. The Minnesota Department of Human Services (MDHS) informed ACF that current data indicate that Minnesota does not meet the Foster Care Re-entries national standard.

Strengths:

- There were examples of stable long-term foster care relative placements.
- There were many supportive services provided at the treatment foster care level.
- Due in part to tightened permanency timeframes for children under age eight, there were examples of successful reunifications in short periods of time.
- In recent years there have been significant increases in the number of children adopted.

Areas Needing Improvement

- In one county, half of the foster care cases had a history of multiple foster care re-entries prior to the period under review.
- The common practice of limiting respite care for foster care parents to 14 days resulted, in one instance, in an unnecessary placement change for a child.
- The usual practice of initially sending children to emergency shelters and temporary homes has a negative impact on stability.
- Appropriate concurrent planning occurred in some instances. Often other permanency options were often considered only when the original plan was abandoned.
- The differential rate between foster care and adoption assistance has the effect of discouraging adoptions.

**Permanency Outcome 2**  
**The continuity of family relationships and connections**  
**will be preserved for children**

83.33% of the cases reviewed were rated as substantially achieved.

Strengths

- Counties were mostly successful in placing children in the county of residence. Out-of-county placements generally occurred when children had special treatment needs or when their relatives or siblings were living in other counties. If out-of-county placements occurred because of treatment needs, efforts were made to bring the children back to the community as soon as possible.
- Caseworkers in areas near Indian reservations were respectful of tribal traditions that encourage parents to have continuing relationships with their children even after the termination of parental rights.
- Attempts were made to place siblings together. Separation of siblings was usually due to the needs of one or more of the children.
- Good efforts were made to locate both paternal and maternal relatives and assess their willingness to serve as foster or adoptive families.

Area Needing Improvement

- In instances where siblings were separated, there were not always reassessments of whether they could be reunited.

- The lower level of financial support available under the Relative Custody Assistance program reduces the number of relatives who might take advantage of the program instead of remaining as foster parents.

### **III. CHILD AND FAMILY WELL-BEING**

#### **Status of Well-Being Outcomes: Need for Improvement**

##### **Well-Being Outcome 1**

##### **Families will have enhanced capacity to provide for their children's needs**

71.43% of the cases reviewed were rated as substantially achieved.

##### **Strengths**

- In counties where the alternative response system is well established, services and resources were matched to families' needs.
- Generally, an exceptional array of services was available. There were individualized services and consideration of the identified service needs of children, parents, and foster parents.

##### **Areas Needing Improvement**

- Cases with unmet needs were almost always the result of a lack of proper assessment when the case was opened.
- Families of color who live away from high concentrations of other families of color are less likely to have access to culturally appropriate services within a reasonable commuting distance.
- There did not appear to be clear guidelines as to who was responsible for what activity when multiple staff such as local service providers, probation officers, county caseworkers and Indian Tribal Organization social workers were involved.

##### **Well-Being Outcome 2**

##### **Children receive appropriate services to meet their educational needs**

81.58% of the cases reviewed were rated as substantially achieved.

##### **Strengths**

- Foster parents received support and guidance regarding the Individual Education Plan.
- Developmental screenings for young children were taking place.
- Agency staff provided excellent advocacy for children with developmental delays.

##### **Area Needing Improvement**

- There was too much reliance on foster parents to see to children's educational needs.
- There were multiple school changes related to placement changes.
- The inclusion of school records in case records was the exception.

**Well-Being Outcome 3**  
**Children receive adequate services to meet their**  
**physical and mental health needs**

67.39% of the cases reviewed were rated as substantially achieved.

Strengths

- Timeframes for physical exams for entry into foster care were met.

Area Needing Improvement

- There was too much reliance on foster parents to address health needs of children.
- It is very difficult to find adequate dental care for children in foster care because many providers do not participate in the Medicaid program.
- If a mental health issue was not directly related to the presenting problem, typically it was not addressed.

**Status of Well-Being Outcomes: Need for Improvement**

**KEY FINDINGS FOR SEVEN SYSTEMIC FACTORS**

**IV. STATEWIDE INFORMATION SYSTEM**

**Status of Statewide Information System: Substantial Conformity**

Strength

The MDHS implemented a Statewide Automated Child Welfare Information System (SACWIS) in 1999, that can produce the information required by regulation, namely, the status, demographic characteristics, location and goals of every child who is (or within the immediately preceding 12 months, has been) in foster care.

**V. CASE REVIEW SYSTEM**

**Status of Case Review System: Substantial Conformity**

Strengths

- Court hearings and administrative reviews were held at required intervals.
- In some courts, the same judge was responsible for a case from its beginning until reunification or termination of parental rights.
- Public defenders, county attorneys, and guardians ad litem were experienced and typically stayed with a child's case for its duration.
- Although the State's more rigorous time frames for permanency hearings were not always met, the Federal time frames were met.
- Although there were instances of foster parents and representatives of Indian Tribal Organizations not having adequate notice of hearings, the State has a good system in place where either the social services agency or the court notifies all involved parties of court hearings.

#### Areas Needing Improvement

- Although all cases reviewed contained written case plans, some had not been updated for as long as three years and some case plans were general, ambiguous, and lacked specificity and individualization for services.
- Although guardians ad litem provided advocacy and oversight; their caseloads were very high.

### **VI. QUALITY ASSURANCE SYSTEM**

#### **Status of Quality Assurance System: Substantial Conformity**

##### Strengths

- Counties adhered to licensing standards. In the event that an exception was made for an emergency placement, the exception did not compromise safety.
- The State's external review system, begun in 1998 and so far conducted in 37 counties, has had a positive effect on practice. Counties have made many changes based upon recommendations of the reviews.

##### Area Needing Improvement

- There is not a consistent, mandatory, county quality assurance review system in place.

### **VII. TRAINING**

#### **Status of Training: Substantial Conformity**

##### Strengths

- Minnesota's competency-based staff development and training, provided through the Minnesota Child Welfare Training System (MCWTS) by the University of Minnesota, offers high quality core and advanced training.
- In a county-administered system such as Minnesota's, counties have considerable autonomy. One way the State promotes consistency is through training. Training on cultural competence helps child welfare staff meet the multiple and diverse needs of families. It may influence the way counties respond initially to children of color, whether they provide placement prevention services, and how they plan reunification.
- Foster parents indicated that, although there were exceptions, the quality of training for foster parents was excellent.

##### Area Needing Improvement

- Follow-up training was not always built into the training structure and comprehensive training on the Indian Child Welfare Act was not mandatory.
- Cross-cultural training for foster and adoptive parents that insures that children's cultural needs related to customs, grooming, dietary needs, and religious practices was not always available.

## **VIII. SERVICE ARRAY**

### **Status of Service Array: Substantial Conformity**

#### **Strengths**

- Many services were targeted to African, African-American, Indian, Hispanic, and Asian populations. The expansion of services to children and families of color in the past few years may be the result, in part, of the discussion of why minority children are represented disproportionately in the foster care population.
- There were many services available in all counties.
- There were good respite and therapeutic services for developmentally delayed children.
- There were diversity initiatives to serve Southeast Asian and Somali communities.
- Informational pamphlets and brochures have been translated into several languages and recorded on audiotape.
- Permanency planning for children in foster care considered the unique characteristics of American Indian children.

#### **Areas Needing Improvement**

- The greatest obstacle to the provision of individualized services was the failure to conduct comprehensive assessments when cases were opened.
- There was a shortage of chemical dependency treatment centers where children could live with parents who were receiving treatment.
- There were waiting lists of children for mental health, in-home, and psychiatric services.
- Services were often not provided unless schools or foster parents advocated on behalf of children.

## **IX. AGENCY RESPONSIVENESS TO THE COMMUNITY**

### **Status of Agency Responsiveness to the Community: Substantial Conformity**

#### **Strengths**

- The MDHS conducted public meetings in several cities to solicit community participation in its CFSP.
- In one county, collaborative teaming was evident within the social services structure and included the Children's Mental Health Collaborative, Family Service Collaborative, Domestic Violence Intervention Team, and the Alternative Response partnership that targeted for early intervention families with at-risk children.
- In one county, Child Protection Screeners were located in three police precincts, including the precinct with the highest number of child protection removals. This staffing approach, instituted four years ago, was in response to concerns of minority communities that children were being removed inappropriately from their homes.



Area Needing Improvement

- Lack of affordable housing, the effects of poverty, cultural differences, greater public agency contact with families of color, and a chemical dependency crisis have led to children of color being placed in the system in numbers greater than their portion of the population. One county has the second largest urban American Indian population in the country. Although African-American children constitute the greatest number of children in foster care in the same county, the greatest disproportionate percentage is for American Indian children. The discussion of the disproportionate representation of minority children in the child welfare system has led to many positive changes. However, some stakeholders express concerns regarding the level of racial diversity of staff involved in the child welfare system as compared to the level of racial diversity of families and children receiving services. (source:stakeholders)

**X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT AND RETENTION**

**Status of Foster and Adoptive Parent Licensing, Recruitment and Retention: Substantial Conformity.**

Strengths

- Licensing standards have been implemented and were applied uniformly to relative and non-relative homes.
- There was extensive training available for foster and adoptive parents.
- The State complied with all Federal requirements for criminal background clearances.

Area Needing Improvement

- Some counties did not act quickly to license persons as soon as they expressed an interest in being foster parents.